IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

Bail Appl..No. 3636 of 2007()

CRIME NO. 278/07 OF ALAPPUZHA NORTH POLICE STATION

PETITIONER/ACCUSED

AJI, S/O. PURUSHOTHAMAN, AGED 33 YEARS,
PULITHARA HOUSE, WARD NO.7, WAYALAR PANCHAYATH,
CHERTHALA.

BY ADV. SRI.G.PRIYADARSAN THAMPI

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTING
CIRCLE INSPECTOR OF POLICE, ALAPPUZHA NORTH
POLICE STATION, REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 3636 of 2007

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Dated this the 21st day of June, 2007

O R D E R

The petitioner is the second accused in a crime registered, where he faces allegations, inter alia, under Sections 452 and 307 r/w. 149 I.P.C. A group of miscreants, identifiable by sight, had allegedly trespassed into the house of the defacto complainant and unleashed an attack on him. He suffered injuries. He could not name the accused persons. In the course of investigation two persons have been arrested as accused 1 and 2. They have been interrogated. The alleged incident took place on 18.5.2007. The petitioner was arrested on 26.5.2007 and he continues in custody from that date.

2. The learned counsel for the petitioner submits that the petitioner has nothing to do with the crime and that he has been unnecessarily and falsely implicated. It is prayed that the petitioner may now be enlarged on bail.

3. The learned Prosecutor opposes the application. In response to a query, the learned Prosecutor fairly submits that the petitioner has no known criminal antecedents and he is not a person who could have been engaged by some other persons as per the present

indications. If at all this Court were inclined to grant bail, appropriate conditions may be imposed, submits the Prosecutor.

4. I shall scrupulously avoid any detailed discussion on merit about the acceptability of the allegations raised or the credibility of the data collected. Suffice it to say that I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

5. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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